

ENVIRONMENTAL ASSESSMENT

DOI-BLM-CO-040-2016-0016 EA

Issue a Grazing Permit on the Vulcan Allotment



Prepared by:

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Bureau of Land Management
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2300 River Frontage Road
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LOCATION.

The Vulcan AMP Allotment (No. 08213) is located east of New Castle, Colorado in Garfield County.

LEGAL DESCRIPTIONS.

Township 5 South, Range 90 West, Sections 35, 36 and Township 6 South, Range 90 West, Sections 3-5, and 9.

PURPOSE AND NEED FOR ACTION.

These permits/leases are subject to renewal or transfer at the discretion of the Secretary of the Interior for a period of up to ten years. The U.S. Bureau of Land Management has the authority to renew the livestock grazing permits/leases consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act, Colorado River Valley Resource Management Plan Amendment, and the Colorado Public Land Health Standards.

The mission of the BLM is “to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations”. Land Health Standards and Guidelines for Livestock Grazing Management were developed between the BLM and the Colorado Resource Advisory Council to ensure that the mission of the BLM will be achieved.

This action is needed to determine whether or not to renew a grazing permit/lease and if so under what terms and conditions to ensure that Public Land Health Standards and objectives for resource management are or will continue to be achieved.

SCOPING AND PUBLIC INVOLVEMENT AND ISSUES.

The BLM National NEPA Register (https://eplanning.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do) allows the public to review and comment BLM NEPA actions and projects in the Colorado River Valley Field Office. The proposed action was posted on the register and no public comments were received.

BACKGROUND.

Eric and Marilyn Porter were the previous operators authorized to utilize grazing preference on the Vulcan Allotment. The last bill paid by Eric and Marilyn Porter is from 2003 for 174 AUMs with a grazing period of 5/11-6/13. The last permit issued had a four-year term from 2002 until 2005. Environmental Assessment CO-GSFO-01-005 is the previous NEPA documentation

pertaining a grazing permit on the Vulcan Allotment. The base property associated with Vulcan AMP Allotment is owned by NCIG Financial INC & CB Minerals Company. Marla Porter obtained a base-property lease from NCIG Financial INC & CB Minerals Company in May of 2015. Several range improvement projects are located on BLM land; however, they have not been maintained since the permit was last utilized and are in a dilapidated state. The leased base property adjacent to the allotment contains the most reliable water source for livestock and wildlife. Previous permitted use authorized on the Vulcan Allotment is summarized below in Tables 1 and 2.

Table 1. Previous Grazing Schedule on the Vulcan Allotment.

Operator Name	Auth. No.	Allotment	Livestock Number	Livestock Kind	Begin Date	End Date	% BLM Land	AUMs
Eric & Marilyn Porter	0507579	Vulcan (08213)	61	Cattle	05/16	08/15	100	185

Table 2. Previous Grazing Preference AUMs Authorized on the Vulcan Allotment.

Operator Name	Auth. No.	Allotment	Active	Suspended	Temporary Suspended AUMs	Permitted Use
Eric & Marilyn Porter	0507579	Vulcan (08213)	185	0	0	185

PROPOSED ACTION.

The Proposed Action is to change the name of the Vulcan AMP allotment to Vulcan Allotment and to issue a new grazing permit for 96 cattle to graze the Vulcan Allotment for one month (5/1-5/31) with the following terms and conditions. The permit will be issued for a 10-year period, unless the base property is leased for less, but for purposes of the EA we are assuming 10 years of grazing by this or another applicant (in case of transfer). The proposed action is in accordance with 43 CFR 4130.2. Scheduled grazing use, grazing preference, and terms and conditions for the proposed grazing permit are summarized below in Tables 3 and Table 4.

Table 3. Proposed Grazing Schedules.

Operator Name	Auth. No.	Allotment	Livestock Number	Livestock Kind	Begin Date	End Date	% BLM Land	AUMs
Porter, Marla	0505747	Vulcan (08213)	96	Cattle	05/01	05/31	100	98

Table 4. Proposed Allotment Summary AUMs.

Operator Name	Auth. No.	Allotment	Active	Suspended	Temporary Suspended AUMS	Permitted Use
Porter, Marla	0505747	Vulcan (08213)	98	0	0	98

Terms and Conditions.

1. An actual use report shall be submitted annually to the BLM office no later than 15 days after livestock have been removed (i.e. the grazing end period on the bill or permit/lease).
2. Livestock Grazing Utilization Guidelines. Average utilization levels by livestock should not exceed:
 - a. Upland areas:
 - 40% on key grass species during the critical growth period and
 - 50% during the dormant season.
 - b. Riparian areas:
 - average minimum 4-inch stubble height on key species for mid-to-late summer grazing period;
 - average minimum 6-inch stubble height for late summer-early fall grazing; and
 - no more than 30% use of current year's growth on woody species.

If utilization is approaching allowable use levels, livestock should be moved to another portion of the allotment, or removed from the allotment entirely for the remainder of the growing season. Adaptive management will be applied to ensure long-term management objectives and land health standards are achieved. Utilization limits may be adjusted (increased or decreased) depending on current resource conditions and trends.

3. As provided by the 2015 Colorado River Valley Field Office Record of Decision and Approved Resource Management Plan, all public motorized and mechanized travel is limited to designated routes. Grazing permittees will maintain Administrative Access specifically for livestock operations and maintenance activities, as follows: 1. motorized access on designated routes that are closed to public motorized use; 2. motorized access in areas seasonally closed to public motorized use; and 3. motorized access off designated routes (eg., fence maintenance). Administrative access is valid for grazing administration only and not for other purposes such as four-wheeling or big game hunting.
4. Maintenance of range improvements is required and shall be in accordance with all approved cooperative agreements and range improvement permits/leases. Maintenance shall be completed prior to turnout. Maintenance activities shall be restricted to the footprint (previously disturbed area) of the project as it existed when it was initially

constructed. The Bureau of Land Management shall be given 48 hours advance notice of any maintenance work that will involve heavy equipment. Disturbed areas will be reseeded with a certified weed-free seed mixture of native species adapted to the site.

5. The permittee/lessees and all persons associated with grazing operations must be informed that any person who injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity of the discovery that might further disturb such materials and notify the BLM authorized officer of the findings. The discovery must be protected until further notified in writing to proceed by the authorized officer.
6. Salt, mineral blocks, and supplemental feed will be placed a minimum of 0.25 miles and preferably 0.5 miles from riparian areas and other water sources, including springs.
7. Minimize selenium contributions to water bodies through best management practices. Range improvement projects that have the potential for selenium leaching, such as stock ponds or water developments should utilize bentonite or other types of liners. New water developments should be located outside of Mancos Shale geology, where possible, or utilize above ground stock tanks.

NO GRAZING ALTERNATIVE.

Under this alternative the grazing permit described in the Proposed Action would not be issued. As a result, no grazing would be authorized on the Vulcan Allotment. This alternative would maintain the Vulcan Allotment as a Reserve Allotment as it currently is in the RMP (BLM 2015a) and no grazing permit would be issued at this time.

ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL.

The No Action Alternative was not analyzed in detail. There is currently no authorized grazing use on the Vulcan Allotment. The allotment was identified as a Reserve Allotment in the RMP with the intent that if the base property was ever leased grazing could resume. The base property has now been leased and an application has been submitted. A decision to approve or not approve the application is required by the BLM and therefore a No Action Alternative is not a reasonable alternative.

PLAN CONFORMANCE REVIEW.

The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3).

Name of Plan. Colorado River Valley Field Office Record of Decision (ROD) and Approved Resource Management Plan (RMP) (BLM 2015a).

Date Approved. June 2015.

Decision Number/Page/Language.

- Livestock Grazing Management. Decision Number GRZ-GOAL-01. Page 68.

Apply flexible and sustainable livestock grazing, in accordance with BLM Colorado Standards for Public Land Health and Guidelines for Livestock Grazing Management to contribute to local economies, ranching livelihoods, and the rural western character integral to many communities.

- Livestock Grazing Management. Decision Number GRZ-OBJ-01. Page 68.

Meet the forage demands of livestock operations based on active use, by providing approximately 441,600 acres for livestock grazing, and provide approximately 35,500 AUMs of livestock forage.

RELATIONSHIP TO STATUTES, REGULATIONS, OTHER PLANS.

- Taylor Grazing Act of 1934 as amended;
- Federal Land Policy and Management Act of 1976;
- Public Rangelands Improvement Act of 1978;
- Title 43 of the Code of Federal Regulations Subpart 4100 – Grazing Administration;
- Noxious Weed Act of 1974;
- Endangered Species Act of 1973;
- National Environmental Policy Act of 1969;
- Migratory Bird Treaty Act of 1918;
- National Historic Preservation Act (16 USC 470f);
- Archeological Resources Protection Act;
- Native American Graves Protection and Repatriation Act;
- Indian Sacred Sites – EO 13007;
- Consultation and Coordination with Indian Tribal Governments – EO 13175; and
- Colorado Public Health Standards and Livestock Grazing Management Guidelines - March 1997.

STANDARDS FOR PUBLIC LAND HEALTH.

In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. The five standards cover upland soils, riparian systems, plant and animal communities, special status species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands.

A Formal Land Health Assessment was conducted in the Divide Creek landscape in 2009 (BLM 2009) which included the Vulcan Allotment (#08213). The allotment was considered to be meeting or marginally meeting all the standards at the time of the assessment. Issues pertained to a high percentage of decadent sagebrush and the lack of diversity in vegetative species and life forms. Vegetation on the allotment consisted almost exclusively of crested wheatgrass and big sagebrush in the flatter terrain with some mesic mountain shrubs on the north slopes and pinyon pine and Utah juniper with a sparse understory on the south slopes. Crested wheatgrass is an aggressive, non-native perennial grass, which is usually not a desirable species for vegetation community diversity and ecosystem function since it tends to form persistent monocultures. The flatter portions of the allotment were seeded to crested wheatgrass at some point in the past, so the vegetative community is functioning as well as can be expected.

The impact analysis addresses whether the proposed action or any alternatives being analyzed would result in impacts that would maintain, improve, or deteriorate land health conditions for each of the five standards. These analyses are located in the program-specific analysis in this document.

DIRECT AND INDIRECT EFFECTS, MITIGATION MEASURES.

This section provides a description of the human and natural environmental resources that could be affected by the proposed action and no action alternative. In addition, the section presents comparative analyses of the direct and indirect consequences on the affected environment stemming from the implementation of the various actions.

A variety of laws, regulations, and policy directives mandate the evaluation of the effects of a proposed action and alternative(s) on certain environmental elements. Not all programs, resources or uses are present in the area, or if they are present, may not be affected by the proposed action and alternatives (Table 5). Only those elements that are present and potentially affected are described and brought forth for detailed analysis.

Table 5. Programs, Resources, and Uses (Including Supplemental Authorities).

Programs, Resources, and Uses (Including Supplemental Authorities)	Potentially Affected?	
	Yes	No
Access and Transportation		X
Air Quality		X
Areas of Critical Environmental Concern		X
Cadastral Survey		X

Cultural Resources	X	
Native American Religious Concerns	X	
Environmental Justice		X
Farmlands, Prime or Unique		X
Fire/Fuels Management		X
Floodplains		X
Forests		X
Geology and Minerals		X
Law Enforcement		X
Livestock Grazing Management	X	
Noise		X
Paleontology		X
Plants: Invasive, Non-native Species (Noxious Weeds)	X	
Plants: Sensitive, Threatened, or Endangered		X
Plants: Vegetation	X	
Realty Authorizations		X
Recreation		X
Social and/or Economics	X	
Soils	X	
Visual Resources		X
Wastes, Hazardous or Solid		X
Water Quality, Surface and Ground	X	
Water Rights		X
Wetlands and Riparian Zones		X
Wild and Scenic Rivers		X
Wilderness/WSAs/Wilderness Characteristics		X
Wildlife: Aquatic / Fisheries	X	
Wildlife: Migratory Birds	X	
Wildlife: Sensitive, Threatened, and Endangered Species	X	
Wildlife: Terrestrial	X	

CULTURAL RESOURCES

AFFECTED ENVIRONMENT.

Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment (CRVFO#1016-2) was completed for the Vulcan allotment on December 18, 2015 by Erin Leifeld, Colorado River

Valley Field Office Archaeologist. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are available at the Colorado River Valley Field Office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps filed at the Colorado River Valley Field Office as well as information from General Land Office (GLO) maps, BLM land patent records, and the State Historic Preservation Office (SHPO) site records, report records, and GIS data.

The table below is based on the allotment specific analysis for the allotment in this EA. The table shows known cultural resources, the potential of Historic Properties, and Management recommendations.

Table 6. Cultural Resources Assessment Summary.

Allotment Name and Number	Land Status	Acres Inventoried at a Class III level	Acres NOT Inventoried at a Class III Level	Percent Allotment Inventoried at a Class III Level (%)	Number of Cultural Resources known in Allotment	Potential of Historic Properties	Management Recommendations (Additional inventory required and historic properties to be visited)
Vulcan #08213	BLM	1064.6	873.8	55%	20	Moderate	Inventory 3 new acres around livestock ponds; no sites to monitor

A total of 12 cultural resource inventories (CRVFO CRIR# 126, 538, 591, 836, 842, 849, 850, 864, 1111-13, 5400-9 and OAHP#GF.LM.NE382, GF.FS.R34) have been previously conducted within the Vulcan Allotment #08213 resulting in the survey coverage of 1064.6 acres at a Class III level. Twenty cultural resources have been documented with these inventories. There are three historic sites (5GF.2758.2, 5GF.2758.3, 5GF.4554.12) that include two segments of a historic ditch and one segment of a historic transmission line which are eligible for the National Register of Historic Places (NRHP). One prehistoric open camp site (5GF.334) is potentially eligible for the NRHP. Additionally, there are two historic sites (5GF.1199 & 5GF.1200) and four prehistoric sites (5GF.1201, 5GF.1203, 5GF.1205, 5GF.2805) that are not eligible for the NRHP. Finally, there are 9 prehistoric isolated finds that are not eligible for the NRHP. Looking at the GLO records in T5S R90W from 1884 shows a historic road on the north side of the river. The historic GLOs from T6S R90W from 1887 show a historic road along Dry Gulch in Sections 4 and 5.

ENVIRONMENTAL CONSEQUENCES.

The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, can include trampling, chiseling, artifact breakage, and churning of site soils, cultural features, and cultural artifacts. Impacts from livestock standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art can also have direct impacts to cultural resources. Indirect impacts include soil erosion and gullyng, which can lead to increased ground visibility which has the potential to increase unlawful collection and

vandalism. Continued livestock use in these concentration areas has the potential to cause substantial ground disturbance and in turn, irreversible adverse effects to historic properties.

Proposed Action Alternative. Changes in the livestock number and season of use under this alternative may have the potential to decrease adverse impacts to cultural resources. Ground disturbance may be reduced in areas where livestock concentrate because there will be fewer livestock numbers for a shorter period of time than current use. Additionally, the requirement to have average utilization levels and minimum stubble height will have little change on cultural resource impacts. The use of this management technique might in fact be beneficial to lessen ground disturbance because it requires four inches of new growth on grasses and therefore livestock will not be grazing when soils are more exposed or when the area is more susceptible to erosion.

It is recommended that 3 acres are inventoried around areas of livestock water within the Vulcan Allotment. No sites were identified to be monitored during the term of this permit.

No Grazing Alternative. Under this alternative, direct and indirect impacts to cultural resources from grazing would be reduced based on the absence of livestock and no related surface disturbing activities.

NATIVE AMERICAN RELIGIOUS CONCERNS

AFFECTED ENVIRONMENT.

American Indian religious concerns are legislatively considered under the American Indian Religious Freedom Act of 1978 (PL 95-341), the Native American Graves Environmental Assessment Protection and Repatriation Act of 1990 (PL 101-601), and Executive Order 13007 (1996; Indian Sacred Sites). These require, in concert with other provisions such as those found in the NHPA and Archaeological Resources Protection Act (ARPA), that the federal government carefully and proactively take into consideration traditional and religious Native American culture and life. This ensures, to the degree possible, that access to sacred sites, the treatment of human remains, the possession of sacred items, the conduct of traditional religious practices, and the preservation of important cultural properties are considered and not unduly infringed upon. In some cases, these concerns are directly related to “historic properties” and “archaeological resources”. In other cases, elements of the landscape without archaeological or other human material remains may be involved. Identification of these concerns is normally completed during the land use planning efforts, reference to existing studies, or via direct consultation.

The Ute have a generalized concept of spiritual significance that is not easily transferred to Euro-American models or definitions. The BLM recognizes that the Ute have identified sites that are of concern because of their association with Ute occupation of the area as part of their traditional lands. The cultural resource evaluation of these allotments describing known cultural resources and their condition was sent to the Southern Ute Indian Tribe, Ute Mountain Ute Tribe, and the Uinta and Ouray Agency Ute Indian Tribe. The letter, sent on January 15, 2016, requested the

tribes to identify issues and areas of concern within the allotments. No comments were received at that time.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action Alternative. No traditional cultural properties, unique natural resources, or properties of a type previously identified as being of interest to local tribes, were identified during the overview of the cultural resources inventory of the project area. Therefore, areas of concern to Native American tribes will not be affected.

No Grazing Alternative. Under this alternative, direct and indirect impacts to cultural resources from grazing would be reduced based on the absence of livestock and no related surface disturbing activities. Therefore, areas of concern to Native American tribes would not be affected.

LIVESTOCK GRAZING MANAGEMENT

AFFECTED ENVIRONMENT.

The Vulcan Allotment, consisting of 1,936 acres of public land, is located within Garfield County two miles east of New Castle, CO. The allotment ranges in from 6,000 to 7,000 feet and receives an average of approximately 17 inches of precipitation a year. Large portions of the allotment are not accessible to livestock for grazing due to topography and lack of reliable water sources. Utilization will most likely be concentrated within the northernmost ephemeral drainage and along allotment roads. The central portion of the allotment is composed of sage parks and benches that are accessible to livestock for grazing but utilization has been light in these areas due to lack reliable water sources. Livestock ponds exist in the central portion of the allotment and have the potential capture spring run-off but require maintenance. Typical grasses found on the Vulcan Allotment are crested wheatgrass, western wheatgrass, and intermediate wheatgrass. Oakbrush and other mesic mountain shrubs occur along drainages and on north-facing slopes. South facing slopes are composed of pinyon pine and Utah juniper with a sparse understory of bulbous bluegrass and cheatgrass.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. The permit would authorize 96 cattle to graze for one month (5/1-5/31). The AUMS are reduced by 47% because the season of use is being shortened from three months (5/16-8/15) to one month (5/1-5/31). The permittee utilizes adjacent private land where the Colorado River flows through and provides a reliable water source throughout the spring. During the authorized grazing season cattle will drift from the private land onto the allotment. Utilization will most likely be limited to areas that livestock can access due to topography and distance from water.

No Grazing Alternative. Under this alternative the grazing permit described in the Proposed Action would not be issued. This alternative would maintain the Vulcan Allotment as a reserve allotment as it currently is in the RMP (BLM 2015a).

PLANTS: INVASIVE NON-NATIVE SPECIES (NOXIOUS WEEDS)

AFFECTED ENVIRONMENT.

Effects of Livestock. Livestock grazing can contribute to the establishment and expansion of noxious weeds and other invasive species through numerous mechanisms. Areas of disturbance provide an optimal location for noxious weed establishment and subsequent invasion (Sheley, et. al 2011). When livestock utilize an allotment they create localized areas of disturbance (i.e., bare ground), especially where animals congregate such as trails, loafing areas, salting areas, water sources, and other range improvements. When over-utilization occurs on a large scale, extensive areas of disturbance can develop, which can open up areas to the establishment of noxious weeds and other invasive species.

Risks of noxious weed introduction and spread would generally be greater with more AUMs unless livestock grazing management is specifically adjusted - by changing the season of use, duration, or intensity - to accomplish defined vegetation or weed reduction goals.

Seed Dispersal. Seed dispersal is another mechanism through which noxious weeds are spread. Livestock handlers, stock dogs, horses, feed, and equipment can potentially serve as vectors for seeds to be introduced or dispersed. Livestock can transport weed seeds from infested areas to uninfested areas through incomplete digestion and the attachment of seeds to body parts.

Additional Vectors for Seed Dispersal. People recreating and vehicles traveling across BLM lands can bring weeds from infested areas to non-infested areas through seed dispersal. Pack and saddle stock users can spread weeds through weed infested feed, incomplete digestion, and the attachment of seeds to body parts. Wind and wildlife also spread weeds. Surface disturbances such as fire and construction projects increase the risk for weed establishment.

Inventory. Preventing and controlling noxious weed encroachment depends on early detection (Sheley, et al. 2011). Landscape-wide weed inventories can help with early detection and controlling noxious weeds and other invasive species infestations. Although a landscape-wide inventory has not been completed on the Vulcan (No. 08213) Allotment, infestations known to occur within or adjacent to the Allotment are listed in Table 5. It is assumed that these and other noxious weeds/invasive species may be found in areas throughout the allotment.

Table 7. Known Noxious weeds within the Vulcan Allotment

Common Name	Scientific Name	State Designation
Houndstongue	<i>Cynoglossum officinale</i>	B
Musk thistle	<i>Carduus nutans</i>	B

Plumeless thistle	<i>Carduus acanthoides</i>	B
Russian knapweed	<i>Acroptilon repens</i>	B
Scotch thistle	<i>Onopordum acanthium</i>	B

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. A grazing permit would be issued for 96 cattle to graze the allotment for one month (5/1-5/31). Utilization on the allotment will most likely be concentrated within the northernmost ephemeral drainage. As long as Utilization standards are met than no substantial increase in noxious weeds and non-native invasive species are expected to occur. Due to a lack of reliable water sources utilization in the central portion of allotment is expected to continue at light levels and no substantial increase in noxious weeds and non-native invasive species are expected to occur. Localized weed infestations will likely continue around areas where livestock congregate (e.g., trails, loafing areas, range improvements). Wind, wildlife, wildfire, recreation use and vehicles also will be vectors for seed transport and weed expansion.

No Grazing Alternative. Under this alternative, no livestock grazing would occur on the allotment and there would be no direct or indirect spread of weeds from livestock use or management activities associated with grazing. Wind, wildlife, wildfire, recreation use and vehicles will continue to be vectors for seed transport and weed expansion.

SENSITIVE, THREATENED, AND ENDANGERED PLANTS

AFFECTED ENVIRONMENT.

There are no known occurrences and no suitable habitat for any special status plant species on the Vulcan Allotment.

ENVIRONMENTAL CONSEQUENCES.

None of the alternatives would impact special status plants.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 4 FOR SPECIAL STATUS PLANTS.

Due to the absence of any special status plants on the Vulcan Allotment, there would be no impact on Standard 4 for special status plants.

VEGETATION

AFFECTED ENVIRONMENT.

Most of the Vulcan Allotment burned in a wildfire in 1961. The burned areas were reseeded with a mixture of crested wheatgrass, western wheatgrass and intermediate wheatgrass. Currently, vegetation on the allotment consists almost exclusively of crested wheatgrass, big sagebrush, and green rabbitbrush in the flatter terrain. Oakbrush and other mesic mountain shrubs occur along the ephemeral drainages and on the north-facing slopes. Pinyon pine and Utah juniper with a sparse understory are found on the south-facing slopes. Crested wheatgrass is an aggressive, non-native perennial grass, which is not desirable for vegetation community diversity and ecosystem function since it tends to form persistent monocultures. Given that the allotment was seeded with crested wheatgrass, the vegetative community is functioning as well as can be expected. Cheatgrass and bulbous bluegrass have been documented in some disturbed areas and under the trees.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Under the Proposed Action, the Vulcan Allotment would be grazed by 96 cows for the month of May. Crested wheatgrass should be actively growing during this time and grazing would be focused on this species which dominates the herbaceous vegetation on the allotment. The short duration of use and lower number of AUMs should allow adequate time during the remainder of the growing season for vegetative regrowth and recovery to maintain plant health.

It is important to note that there are no perennial water sources on the allotment, so maintenance of upland ponds might be necessary overtime to ensure proper livestock distribution across the allotment. If upland waters are not available, grazing use could be concentrated on private lands along the Colorado River and adjacent upland areas on private and BLM lands.

No Grazing Alternative. Under this alternative, no livestock grazing would occur on the Vulcan Allotment and there would be no direct or indirect impacts to vegetation from livestock use. There would be an increase in vegetative biomass without the presence of livestock to remove vegetative material. Dead and dried stems and seed stalks may build up over time reducing photosynthetic activity which may result in less vegetative vigor and green biomass in the long-term. There would also be less surface disturbance due to trampling and removal of vegetation and therefore, less risk of noxious weed invasion. Wind, wildlife and occasional vehicular traffic would continue to distribute weed seeds and contribute to some weed expansion.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 3 FOR HEALTHY PLANT COMMUNITIES.

BLM staff concluded that upland vegetation on the Vulcan Allotment was meeting Standard 3 for healthy plant communities or meeting the standard with some problems at the time of the Divide Creek Land Health Assessment (BLM 2009). Issues pertained to a high percentage of decadent sagebrush and the lack of diversity in vegetative species and life forms. Crested wheatgrass was seeded on the allotment following a wildfire in 1961 and is now the dominant

herbaceous vegetation on the allotment. This aggressive, non-native species reduces ecosystem diversity and function since it tends to form persistent monocultures. Crested wheatgrass is palatable to livestock in the spring and is able to sustain moderate grazing. Given the current situation, the vegetative community is functioning as well as can be expected and conditions are likely to remain the same under the proposed action.

SOCIO-ECONOMICS

AFFECTED ENVIRONMENT.

Regionally, livestock operations are dependent on both federal lands (BLM and U.S. Forest Service) and nonfederal lands (state and private). The federal grazing fee for public lands managed by the BLM and the U.S. Forest Service is \$2.11 per animal unit month (AUM). An AUM is the amount of forage needed to sustain one cow and her calf, one horse, or five sheep or goats for a month. The annually adjusted grazing fee is computed by using a 1966 base value of \$1.23 per AUM for livestock grazing on public lands in the western states. The figure is then adjusted according to three factors - current private grazing land lease rates, beef cattle prices, and the cost of livestock production. The formula used for calculating the grazing fee, established by Congress in the 1978 Public Rangelands Improvement Act, has continued under a presidential Executive Order issued in 1986. Under that order, the grazing fee cannot fall below \$1.35 per AUM, and any increase or decrease cannot exceed 25 percent of the previous year's level.

Public land grazing in the CRVFO supports a traditional and historical way of life. Although historically livestock grazing in the region was at a higher intensity than at the present time, the livestock business has, and continues to be a traditional way of life for many permit holders. Income derived from public land grazing permits continues to comprise a moderate to substantial portion of their individual livelihoods.

The total economic contribution from ranching operations on BLM lands is statistically low within the region. Jobs and labor income associated with BLM grazing accounts for less than 1 percent of the area's total jobs and labor income (BLM 2014).

Fees paid to the federal government for livestock grazing permits generate revenue for the U.S. Treasury, of which 12.5 per cent is returned to the local Grazing Advisory Board to fund range improvements and maintenance projects. This provides a direct economic benefit to the permit holders who pay the fees. The support of livestock operations contributes to the economic support of local communities and to the livestock industry in the West in general.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. The Proposed Action would a renew ten year term grazing lease for the livestock operator, thereby continuing an historical and traditional way of life for this area. The social value of retaining a rural, agricultural lifestyle would be preserved and would align with many of the public's perception of the western Colorado culture.

Issuance of the grazing leases would allow the lease holders to continue their grazing operations with some degree of predictability during the ten-year period of the term lease.

The local economy is benefited from capital spent to establish and maintain a ranching operation and contributions to the labor force. The Proposed Action would support some direct employment. Additional employment would be generated as the affected livestock operators purchase services and materials as inputs ("indirect" effects) and ranchers spend their earnings within the local economy ("induced" effects).

No Grazing Alternative. Under the No Grazing Alternative, the ten year term grazing lease would not be renewed. The individual lease holders could be negatively impacted in the short term by loss of income. If livestock grazing was terminated, there would also be adverse impacts to the base property owner(s). There could be an annual loss of income because they may not be able to lease their private lands without having the BLM land grazing allotments. Consequently, the value of their properties could be reduced because of the elimination of the federal grazing preference. Such a loss of income would be important to the individuals, but would likely not measurably or adversely impact the local economies.

SOILS

AFFECTED ENVIRONMENT.

A review of the soil survey by the NRCS for the *Rifle Area, Colorado, Parts of Garfield and Mesa Counties* indicate 9 soil map units occur within the Vulcan allotment (NRCS 1985). In addition, portions of the allotment are mapped as Controlled Surface Use (CSU) for erosive soils on slopes greater than 30% and No Surface Occupancy (NSO) for slopes greater than 50% regardless of soil type. The NRCS soil map unit descriptions are provided below for the dominant soils (NRCS 2016):

Dollard-Rock outcrop, shale, complex (24). This complex consists of shale outcrops and shale derived soils that are found on hills and mountainsides at elevations ranging from 6,000 to 7,500 feet and on slopes of 25 to 65 percent. Approximately 60 percent of the complex is the Dollard soil and 20 percent is shale outcrop. The Dollard soil is moderately deep, well drained and has rapid surface runoff with severe erosion hazard. Surface runoff for the Rock outcrop is rapid and the erosion hazard is very severe.

Ildefonso stony loam (32). This deep, well-drained soil is found on mesa breaks, sides of valleys, and alluvial fans at elevations ranging from 5,000 to 6,500 feet and on slopes of 25 to 45 percent. This soil is derived primarily from basalt and may contain a small amount of reddish eolian material at the top of the unit. Surface runoff for this soil is medium and erosion hazard is severe.

Torriorthents-Camborthids-Rock outcrop complex, steep (66). This soil map unit consists of sandstone and shale bedrock and soils of variable depth occurring on slopes of 15 to 70

percent. About 45 percent of this complex is Torriorthents, 20 percent is Camborthids, and 15 percent is Rock outcrop. The Camborthids occur on the lower toe slopes on foothills and mountainsides while the Torriorthents are found on the foothills and mountainsides below the Rock outcrop. The Torriorthents are shallow to moderately deep, and clayey to loamy with gravel, cobbles, and stones. The Camborthids are shallow to deep and clayey to loamy. Rock outcrop primarily consists of Mesa Verde sandstones and Wasatch shales with occasional basaltic boulders and stones. This complex is characterized by moderate to severe erosion hazard.

Torriorthents-Rock outcrop complex, steep (67). This complex consists of stony soils and exposed outcrops of Mesa Verde sandstone and Wasatch shale that occur on slopes of 15 to 70 percent. Approximately 60 percent of this complex is Torriorthents and 25 percent is Rock outcrop. The Torriorthents are clayey to loamy and contain gravel, cobbles, and stones; many of which are basaltic in origin. They are found on mountainsides below the Rock outcrop. Erosion hazard for this complex varies from moderate to severe.

Soil health was evaluated in 2009 during the Divide Creek Land Health Assessment. BLM staff concluded that soils were meeting land health standards throughout the Vulcan allotment. However, several “slight to moderate” departures from expected conditions were observed for water flow patterns, pedestals, and litter movement (BLM 2009). Two documented “moderate” departures from expected soil conditions were documented for presence of gullies (BLM 2009).

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Grazing activities may result in direct soil compaction and displacement that increase the likelihood of erosional processes, especially on steep slopes and areas devoid of vegetation. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. Indirect impacts include soil erosion and gully. Based on existing soil conditions and generally good vegetative cover; the likelihood of livestock grazing contributing to excessive soil degradation and transport to nearby drainages is not expected. Grazing activities would not likely create long term affects that would compromise soil stability on a large scale. Small-scale and localized disturbances would likely be limited to trails and watering areas. Reducing AUMs and season of use, along with adherence to the terms and conditions should provide adequate protection of soil conditions.

No Grazing Alternative. Under this alternative, no livestock grazing would occur and there would be no direct impacts to soils from livestock use. Indirectly, soil health may benefit from livestock rest. However, trampling or removal of plant material may still occur from wildlife grazing. In addition, soil disturbance and erosion may persist due to other surface disturbing activities, such as roads and trails that exist throughout the allotment.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 1 FOR SOILS.

Based on the Divide Creek Land Health Assessment, BLM staff concluded that soils are overall meeting Standard 1, with some problems noted for water flow patterns, pedestals, litter

movement and gully formation (BLM 2009). Implementation of the proposed action is not anticipated to degrade soil health from current conditions.

WATER QUALITY (SURFACE AND GROUND)

AFFECTED ENVIRONMENT.

The Vulcan allotment lies adjacent to the Colorado River, south and east of the Town of New Castle. It is drained by several unnamed intermittent and ephemeral tributaries to the river. These drainages are generally dry but do flow in response to convective storms passing through the area and occasionally from snowmelt. BLM staff assessed this allotment in 2009 as part of the Divide Creek Land Health Assessment, but due to the intermittent nature of the streams in this allotment, no water quality data was collected at the time.

The State of Colorado has developed *Stream Classifications and Water Quality Standards* that identify beneficial uses of water and numeric standards used to determine allowable concentrations of water quality parameters (CDPHE 2015). The drainages throughout the Vulcan allotment are tributary to the Lower Colorado River Basin and have water use classifications described below:

Table 8. State of Colorado's Stream Classifications for Drainages in the Vulcan Allotment (CDPHE 2015).

Stream Segment Description	Classifications
4a. All tributaries, including wetlands, to the Colorado River from the confluence with the Roaring Fork River to a point immediately below the confluence with Parachute Creek.	Aquatic Life Cold 2 Recreation N Water supply Agriculture

Aquatic life cold 2 indicates waters that are not capable of sustaining a wide variety of cold water biota. Recreation N refers to stream segments with surface waters that are not suitable or intended to become suitable for primary contact recreation uses. Water supply and agriculture refer to stream segments that are suitable or intended to become suitable for potable water supplies and suitable for irrigation or livestock use.

The State of Colorado has also developed a *303(d) List of Impaired Waters and Monitoring and Evaluation List* (CDPHE 2012) that identifies stream segments that are not currently meeting water quality standards with technology based controls alone. The drainages within the Vulcan allotment are listed as selenium impaired (CDPHE 2012). This segment has been given a medium priority by the State of Colorado to develop a Total Maximum Daily Load (TMDL), a value of the maximum amount of a pollutant that a body of water can receive while still meeting water quality standards. Selenium is mobilized in the ecosystem primarily by irrigation practices and naturally by rainfall and snowmelt, in selenium rich soils, such as Mancos Shale. Thus, livestock grazing is thought to have minimal effect on selenium transport to the Colorado River.

There are four springs documented within the allotment, each with decreed water rights for stock and wildlife use. Data have been collected for these spring sources and indicate fair to poor water quality with high specific conductance of 4,500 - 10,800 umhos/cm and higher, and pH ranging from 7.7 - 8.7. Several of these sources are developed for livestock use and will need continual maintenance. If best management practices are followed, no impacts to ground water would occur from the proposed grazing.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Direct impacts to water quality from livestock grazing may result in elevated turbidity, nutrients and fecal coliform bacteria, if livestock begin to congregate near water sources for extended periods of time. Hoof action can cause surface compaction, stream bank shearing, elevated erosion rates and subsequent deterioration of water quality. Indirect impacts may result from excessive utilization in upland watershed areas reducing effective vegetative cover, elevating erosion potential and increasing sediment delivery to streams, which could negatively impact water quality. The proposed stocking rates and duration are not expected to have a negative effect on water quality. Since vegetative cover is relatively good throughout the allotment, and the drainages are generally dry when livestock are present, the potential for sediment reaching the Colorado River is very low. Any bare ground or sediment that is produced in areas where livestock congregate would likely be localized and short-term.

No Grazing Alternative. Under this alternative, no livestock grazing would occur and there would be no direct or indirect impacts to water quality from livestock use. Trampling or removal of plant material may still occur from wildlife grazing, and soil disturbance and erosion may persist due to other surface disturbing activities, such as roads and trails that exists throughout the allotment, which could potentially affect water quality.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 5 FOR WATER QUALITY.

During the Land Health Assessment, BLM staff determined that site-specific conditions on the Vulcan allotment did not appear to be negatively impacting water quality (BLM 2009). However, the drainages in this allotment are listed on the State's 303(d) list of impaired water quality for selenium contribution to the Colorado River and therefore considered not meeting Land Health Standard 5. Selenium transport is primarily associated with irrigation practices on saline soils or Mancos Shale geology. Thus, grazing practices are not typically considered a causal factor for selenium transport. Implementation of the proposed action is not anticipated to degrade water quality from current conditions.

WETLANDS AND RIPARIAN ZONES

AFFECTED ENVIRONMENT.

The Vulcan Allotment has no perennial or intermittent streams and water flows in the ephemeral drainages are insufficient to support riparian vegetation.

ENVIRONMENTAL CONSEQUENCES.

Neither the Proposed Action nor the No Grazing Alternative would impact any riparian areas on the allotment.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 2 FOR RIPARIAN SYSTEMS.

Due to the absence of riparian areas on the Vulcan Allotment, neither alternative would impact Standard 2.

AQUATIC WILDLIFE AND FISHERIES (INCLUDING SENSITIVE, THREATENED, AND ENDANGERED SPECIES)

AFFECTED ENVIRONMENT.

Fish. There are no fish bearing streams on the allotment. Cattle access the Colorado River from the leased base property that is adjacent to the allotment.

Amphibians. Amphibians in Colorado need access to ponds, lakes, seeps, springs, or other bodies of water. They avoid cold winter temperatures and dry midday summer heat by taking refuge in buffered microenvironments such as underground burrows, crevices beneath rocks, or bodies of water. Amphibian records within the CRVFO are limited, and extensive surveys have not been conducted. Habitat is not available for boreal toads or northern leopard frogs, both BLM sensitive species, on the allotment. Western chorus frogs (*Pseudacris triseriata*) and Woodhouse's toads (*Bufo woodhousii*) occur throughout Colorado. Western chorus frogs are found primarily in wetland marshes and pond margins, also including seasonal waters, and across a wide range of elevations. Woodhouse's toads are present in ponds and slow-flowing streams, including seasonal waters, below 7,000 feet in Colorado. Great Basin spadefoot toads in Colorado generally breed in temporary pools and flood waters along perennial streams. They typically inhabit pinyon-juniper woodlands, sagebrush, and semi-desert shrublands, mostly below 6,000 feet in elevation. Tiger salamanders (*Ambystoma tigrinum*) occur throughout Colorado near ponds, lakes, and water impoundments up to 12,000 feet in elevation (Hammerson 1999).

Aquatic Macroinvertebrates. Aquatic habitats within the allotments support aquatic macroinvertebrates, which are organisms without backbones that are visible to the naked eye. They live on, under, and around rocks and sediment in the bottoms of lakes, rivers, and streams for at least part of their life cycles. Major groups include arthropods (i.e., crustaceans and insects), mollusks, sponges and nematode worms. The most abundant are typically aquatic insect larvae such as mayflies, stoneflies, and caddis flies. Aquatic insects are good indicators of stream health, and are an important link in the aquatic food chain, particularly as a food source for fish, amphibians, and many terrestrial animals such as birds and bats. A lack of adequate aquatic invertebrates can negatively impact fish productivity.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. There are no perennial water sources on the allotment so aquatic wildlife will not be directly affected by the Proposed Action. The allotment has not been used since 2003 and range improvements, including upland ponds, are in poor condition. Maintenance of upland ponds might be necessary overtime to ensure proper livestock distribution across the allotment. Pond maintenance is required under the terms and conditions. Functioning ponds would provide seasonal habitat for aquatic macroinvertebrates and amphibians.

No Grazing Alternative. There would be no livestock grazing on this allotment. Upland ponds would not be repaired, and new habitat for aquatic macroinvertebrates and amphibians would not be created.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 3 FOR AQUATIC WILDLIFE AND FISHERIES.

The allotment was assessed as part of the Land Health Assessment for the Divide Creek Landscape (BLM 2009). Because there are no fish bearing streams or riparian areas in this allotment, standards 3 and 4 for aquatic wildlife do not apply.

MIGRATORY BIRDS

AFFECTED ENVIRONMENT.

The Migratory Bird Treaty Act (MBTA) provides protections to native birds, with the exception of certain upland fowl managed by state wildlife agencies for hunting. Within the context of the MBTA, migratory birds include non-migratory resident species as well as true migrants. For most migrant and resident species, nesting habitat is critical for supporting reproduction in terms of both nest sites and food. Also, because birds are generally territorial during the nesting season, their ability to access and utilize sufficient food is limited by the quality of the occupied territory. During non-breeding seasons, birds are generally non-territorial and able to feed across a larger area and wider range of habitats.

The project area provides cover, forage, breeding, and/or nesting habitat for a variety of migratory birds that summer, winter, or migrate through the area. Migratory bird species that are federally listed and classified by the BLM as sensitive species are addressed in the Wildlife: Sensitive, Threatened, and Endangered Species section of this EA.

BLM Instruction Memorandum No. 2008-050 provides guidance toward meeting the BLM's responsibilities under the MBTA and the Executive Order 13186. The guidance directs Field Offices to promote the maintenance and improvement of habitat quantity and quality and to avoid, reduce or mitigate adverse impacts on the habitats of migratory bird species of conservation concern to the extent feasible, and in a manner consistent with regional or statewide bird conservation priorities.

The MBTA prohibits the "take" of a protected species. Under the Act, the term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in

any such conduct. The USFWS interprets “harm” and “kill” to include loss of eggs or nestlings due to abandonment or reduced attentiveness by one or both adults as a result of disturbance by human activity, as well as physical destruction of an occupied nest.

The 1988 amendment to the Fish and Wildlife Conservation Act mandates the USFWS to “identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act (ESA) of 1973.” The *Birds of Conservation Concern 2008* (USFWS 2008) is the most recent effort to carry out this mandate. The CRVFO is within the Southern Rockies/Colorado Plateau Bird Conservation Region 16.

The project area includes the following plant communities and potentially associated migratory bird species.

Pinyon-juniper Woodlands. Pinyon and juniper trees provide food, cover and nest sites for numerous migratory birds. Species on the Birds of Conservation Concern (BCC) list that occur in the CRVFO and are associated with pinyon-juniper woodlands include the pinyon jay (*Gymnorhinus cyanocephalus*), juniper titmouse (*Baeolophus ridgwayi*) and Ferruginous Hawk (*Buteo regalis*). Other migratory species associated with this plant community within the CRVFO include the broad-tailed hummingbird (*Selasphorus platycercus*), black-chinned hummingbird (*Archilochus alexandri*), Say’s phoebe (*Sayornis saya*), ash-throated flycatcher (*Myiarchus cinerascens*), gray flycatcher (*Empidonax wrightii*), Townsend’s solitaire (*Myadestes townsendi*), American robin (*Turdus migratorius*), Western bluebird (*Sialia Mexicana*), mountain bluebird (*S. currucoides*), bushtit (*Psaltiriparus minimus*), blue-gray gnatcatcher (*Poliophtila caerulea*), plumbeous vireo (*Vireo plumbeus*), Western scrub-jay (*Aphelocoma californica*), Clark’s nutcracker (*Nucifraga columbiana*), black-throated gray warbler (*Dendroica nigrescens*), Virginia’s warbler (*Oreothlypis virginiae*), chipping sparrow (*Spizella passerina*), lesser goldfinch (*Spinus psaltria*) and house finch (*Haemorrhous mexicanus*). Winter visitors to pinyon-juniper habitats include the Cassin’s finch (*Carpodacus cassinii*), a BCC species, which typically nests in montane and subalpine forests, though occasionally nests in pinyon-juniper woodlands.

Sagebrush Shrublands. Sagebrush and the associated native perennial grasses and forbs provide food, cover and nest sites for migratory birds. Sagebrush obligates that potentially occur in the CRVFO include the sagebrush sparrow (*Artemisiospiza nevadensis*), sage thrasher (*Oreoscoptes montanus*) and Brewer’s sparrow (*Spizella breweri*), a BCC species. Other migratory species associated with sagebrush shrublands within the CRVFO include the western kingbird (*Tyrannus verticalis*), western meadowlark (*Sturnella neglecta*), green-tailed towhee (*Pipilo chlorurus*), vesper sparrow (*Pooecetes gramineus*) and lark sparrow (*Chondestes grammacus*). Some species are associated with both pinyon-juniper woodlands and sagebrush shrublands, including the Say’s phoebe and gray flycatcher.

Mixed Mountain Shrublands. The vegetation of mixed mountain shrublands varies substantially depending on elevation, slope, aspect, and soil. More mesic (moist) sites such as on north-facing slopes and along minor drainages are typically dominated by Gambel’s oak and serviceberry, while more xeric (dry) sites such as south-facing slopes are typically dominated by mountain-mahogany, bitterbrush, snowberry, and sagebrush. The dense cover, tall height, and abundant

acorns and berries of mesic oak-serviceberry stands provide cover, forage, and nesting habitat for numerous species including spotted towhees (*Pipilo maculatus*), Virginia's warblers (*Oreothlypis virginiae*), black-headed grosbeaks (*Pheucticus melanocephalus*), black-billed magpies (*Pica hudsonia*), broad-tailed hummingbirds (*Selasphorus platycercus*), green-tailed towhees (*Pipilo chlorurus*), mourning doves (*Zenaida macroura*), Western scrub-jays (*Aphelocoma californica*) and lazuli buntings (*Passerina amoena*).

Raptors. Many raptors forage over wide areas, so even if they aren't known to nest in a specific area, they may still fly over searching for food. Raptors on the BCC list that occur in portions of the CRVO include the golden eagle (*Aquila chrysaetos*), Bald Eagle (*Haliaeetus leucocephalus*), Ferruginous Hawk (*Buteo regalis*), prairie falcon (*Falco mexicanus*), peregrine falcon (*F. peregrinus*) and flammulated owl (*Psiloscops flammeolus*). Prairie falcons nest on rocky ledges and cliffs and hunt in grasslands and semi-desert shrublands. Peregrine falcons hunt near nest sites and along rivers and lakes, but can be found in nearly any open vegetation community during migration and winter. Flammulated owls typically nest in ponderosa pine and aspen forests, but have been found nesting in mixed forests, and reportedly use old-growth pinyon-juniper woodlands.

A variety of raptors not on the BCC list are known to occur in the CRVO including the American kestrel (*Falco sparverius*), northern harrier (*Circus cyaneus*), Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), red-tailed hawk (*Buteo jamaicensis*), long-eared owl (*Asio otus*), great horned owl (*Bubo virginianus*), northern pygmy owl (*Glaucidium gnoma*) and northern saw-whet owl (*Aegolius acadicus*). The northern goshawk (*Accipiter gentilis*), a BLM sensitive species, is an occasional winter visitor to pinyon-juniper woodlands from its nesting habitat in montane and subalpine forests.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. The allotment would be grazed up to 96 cows during May, the first part of the core breeding period for the majority of BCC potentially in the allotment (May 15-July 15). Livestock grazing can alter vegetation structure, composition, and function. Effects on migratory birds are dependent on the species of interest and may be adverse or beneficial depending on grazing timing, frequency, and intensity. Aerial, bark and canopy insectivores may be less influenced by grazing than species feeding on nectar, insects, or seeds in the understory or on the ground. Birds may be displaced as a result of grazing. Trampling of nests, eggs, or young could occur. Losses or decreases in vegetation from overgrazing can decrease rodent prey species and affect local populations of raptors. Areas lacking vegetative structure and complexity would be expected to be lacking bird species richness. Migratory birds could be temporarily displaced from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock.

As long as acceptable utilization levels are maintained and land health standards are achieved, any negative impacts to migratory birds from livestock grazing are expected to be minimal and isolated, and should not influence migratory bird populations on a landscape level.

In addition maintenance of nonfunctioning ponds would be required under the terms and conditions. Migratory birds would likely drink and bathe in the ponds when they are

functioning, and some species would potentially benefit from increased insect populations. The ponds would also be expected to improve livestock distribution in the allotment.

No Grazing Alternative. There would be no livestock grazing on this allotment, and there would be no direct or indirect impacts to migratory birds from livestock use. Upland ponds would not be repaired. Perennial grass and forb cover would be expected to remain the same or gradually recover in the continued absence of livestock. There would be no disturbance to migratory birds from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock.

ANALYSIS OF PUBLIC LAND HEALTH STANDARDS 3 AND 4 FOR MIGRATORY BIRDS.

Based on the Land Health Assessment for the Divide Creek Landscape, most sites visited in the watershed were providing healthy and productive habitat for a diversity and density of terrestrial wildlife species, including migratory birds. Habitat condition was generally good and meeting Standard 3 for terrestrial wildlife. Suitable habitat was available for sensitive species, and Standard 4 was being met (BLM 2009). Conditions would be expected to remain the same under the Proposed Action.

SENSITIVE, THREATENED AND ENDANGERED TERRESTRIAL WILDLIFE

Table 9 summarizes Federally listed, proposed and candidate terrestrial wildlife species potentially occurring in Garfield County (USFWS 2015) and species on the Colorado BLM State Director's Sensitive Species List (BLM 2015b) that may occur in the allotment.

Table 9. Special Status Terrestrial Wildlife Species.

Federally Listed, Proposed, or Candidate Terrestrial Wildlife Species		
Species and Status	Habitat/Range Summaries	Occurrence/Potentially Impacted
Canada lynx (<i>Lynx Canadensis</i>) Threatened	Canada lynx occupy high-latitude or high-elevation coniferous forests characterized by cold, snowy winters and an adequate prey base. In the western US, lynx are associated with mesic forests of lodgepole pine, subalpine fir, Engelmann spruce, and quaking aspen in the upper montane and subalpine zones, generally between 8,000 and 12,000 feet in elevation. The Forest Service has mapped suitable denning, winter, and other habitat for lynx within the White River and Rout National Forests. The mapped suitable habitat comprises areas known as Lynx Analysis Units (LAUs) that are the approximate size of a female's home range. Several LAUs include small parcels of BLM lands. There are no LAUs or mapped lynx linkage areas in the project area.	Absent/No
Mexican spotted owl (<i>Strix occidentalis lucida</i>) Threatened	This owl nests, roosts, and hunts in mature coniferous forests in canyons and foothills. The key habitat components are old-growth forests with uneven-age stands, high canopy closure, high tree density, fallen logs and snags. The only extant populations in Colorado are in the Pikes Peak and Wet Mountain areas of south-central Colorado and the Mesa Verde area of southwestern Colorado.	Absent/No

<p>Yellow-billed cuckoo (<i>Coccyzus americanus</i>)</p> <p>Threatened</p>	<p>This secretive species occurs in mature riparian forests of cottonwoods and other large deciduous trees with a well-developed understory of tall riparian shrubs. Western cuckoos breed in large blocks of riparian habitats, particularly woodlands with cottonwoods (<i>Populus fremontii</i>) and willows (<i>Salix</i> sp.). A few sightings of yellow-billed cuckoo have occurred in western Colorado along the Colorado River near Grand Junction. There is no proposed critical habitat in the Colorado River Valley Field Office.</p>	<p>Absent/No</p>
Colorado BLM Sensitive Terrestrial Wildlife Species Present or Potentially Present in the Project Area		
Species	Habitat/Range Summaries	Occurrence/ Potentially Impacted
<p>Townsend's big-eared bat (<i>Corynorhinus townsendii</i>)</p> <p>Fringed myotis (<i>Myotis thysanodes</i>)</p> <p>Spotted bat (<i>Euderma maculatum</i>)</p>	<p>Townsend's big eared bats and fringed myotis occur as scattered populations at moderate elevations on the western slope of Colorado. Habitat associations are not well defined. Both bats will forage for aerial insects over pinyon-juniper, montane conifer and semi-desert shrubland communities. These species roosts in caves, rock crevices, mines, buildings and tree cavities. Both species are widely distributed and usually occur in small groups. Townsend's big-eared bats are not abundant anywhere in its range due to patchy distribution and limited availability of suitable roosting. Spotted bats have been detected in Colorado in ponderosa pine woodlands or montane forests, pinyon-juniper woodlands, and riparian vegetation; over sand and gravel bars; and in open semidesert shrublands. The species needs access to water and suitable cracks and crevices in rocky cliffs for roosting. Limited information is available for this species in the CRVFO. No roosts or hibernaculum for any of these species are documented in the project area.</p>	<p>Possible/No</p>
<p>Rocky mountain bighorn sheep (<i>Ovis canadensis</i>)</p>	<p>Rocky Mountain bighorn sheep typically inhabit steep, precipitous mountain and canyon terrain with good visibility and escape terrain. The CRVFO includes the Glenwood Canyon, Derby Creek, Deep Creek and Battlement Mesa herds. Additional herds inhabit nearby USFS lands. Bighorn sheep from the Glenwood Canyon herd rarely cross to the south side of the Colorado River.</p>	<p>Absent/No</p>
<p>Northern goshawk (<i>Accipiter gentilis</i>)</p>	<p>Montane and subalpine coniferous forests and aspen forests; may move to lower elevation pinyon-juniper woodlands in search of prey during winter. Preys on small-medium sized birds and mammals. Breeds in coniferous deciduous and mixed forests. Nests are typically located on a northerly aspect in a drainage or canyon and are often near a stream. Nest areas contain one or more stands of large, old trees with a dense canopy cover. A goshawk pair occupies its nest area from March until late September. The nest area is the center of all movements and behaviors associated with breeding from courtship through fledging.</p>	<p>Absent/No</p>
<p>Ferruginous hawk (<i>Buteo regalis</i>)</p>	<p>Open, rolling and/or rugged terrain in grasslands and shrubsteppe communities; also grasslands and cultivated fields; nests on cliffs and rocky outcrops. Fall/ winter resident, non-breeding.</p>	<p>Possible/No</p>
<p>Golden eagle (<i>Aquila chrysaetos</i>)</p>	<p>Nesting/Roosting: cliffs and trees. Forages widely over open habitats, including grasslands and sagebrush, particularly in areas with abundant rabbits. Suitable mixes of sagebrush and cliffs can support high concentrations. Primary forages include small rodents, hares, and rabbits, and carrion during winter.</p>	<p>Possible/No</p>

Bald eagle (<i>Haliaeetus leucocephalus</i>)	Nesting/Roosting: mature cottonwood forests along rivers. Foraging: fish and waterfowl along rivers and lakes; may feed on carrion, rabbits and other foods in winter. Bald eagle winter range is mapped along the Colorado River and overlaps with the allotment.	Possible/No
American Peregrine Falcon (<i>Falco peregrinus anatum</i>)	Rare spring and fall migrant in western valleys. Peregrine falcons inhabit open spaces associated with high cliffs and bluffs overlooking rivers. The falcon nests on high cliffs and forages over nearby woodlands.	Possible/No
Greater Sage-grouse (<i>Centrocercus urophasianus</i>)	Greater sage-grouse are found only in areas where sagebrush is abundant, providing both food and cover. Within the CRVFO, greater sage-grouse are present in the northeast part of the Field Office in the Northern Eagle/Southern Routt population. While small (<500 birds), this population probably has, or had, a relationship with the larger population in Moffat, Rio Blanco and western Routt counties, and probably with the Middle Park population to the east. The allotment does not include lands allocated as priority habitat management areas (PHMA) and general habitat management areas (GHMA).	Absent/No
Columbian sharp-tailed grouse (<i>Tympanuchus phasianellus columbian</i>)	Use a variety of habitats within sagebrush, mountain shrub, and riparian areas. From spring to fall a component of denser riparian or mountain shrub vegetation is important for escape cover. Winter habitat contains a dominant component of deciduous trees and shrubs. In Colorado, leks typically occur in sagebrush.	Absent/No
Black swift (<i>Cypseloides niger</i>)	Nest in colonies on vertical rock faces, near waterfalls or in dripping caves. Birds arrive in Colorado in June and take all summer to raise a single nestling. Adults forage widely on aerial insects.	Absent/No
Brewer's sparrow (<i>Spizella berweri</i>)	Summers in western Colorado mountain parks and is a spring/fall migrant at lower elevations. Sagebrush obligate with an apparently secure conservation status in Colorado. Primary habitat is mature big sagebrush 1.6-3 ft. tall with low to moderate canopy cover, and habitat patches ≥15 acres. Mesic sites, particularly riparian areas within sagebrush habitats, are also an important primary habitat component. Alteration of vegetation in sagebrush habitats due to livestock grazing may affect Brewer's sparrow abundance. Grazing may occasionally affect Brewer's sparrow nests through trampling or disturbance (Vasquez 2005).	Possible/No
Midget faded rattlesnake (<i>Crotalus viridis concolor</i>)	Found in northwestern Colorado, including western Garfield County. Sagebrush communities with an abundance of south-facing rock outcroppings and exposed canyon walls. Rocky outcrops are essential for cover, variable thermal conditions and hibernation.	Possible/No

ENVIRONMENTAL CONSEQUENCES.

Due to the absence of critical habitat, occupied habitat, or known occurrences of any Federally listed, proposed, or candidate terrestrial wildlife species in the project area, the Proposed Action would have no effect on listed wildlife populations.

Livestock grazing can alter vegetation structure, composition, and function. The response of special status wildlife to livestock grazing varies by habitat, species, and grazing (e.g., numbers, timing, frequency, intensity). Direct impacts include the removal and/or trampling of vegetation that would otherwise be used for food and cover; trampling of nests, eggs, or young; and livestock-wildlife interactions that may result in wildlife displacement or disease transmission. Wildlife could be displaced by vehicular traffic or human presence during maintenance of infrastructure or tending to livestock. Indirect impacts result from changes in plant community composition, structure, and productivity which together largely determine the suitability of wildlife habitat and habitat for insect and rodent prey species. Losses or decreases in vegetation

from overgrazing can decrease rodent prey species and affect local populations of raptors. Areas lacking vegetative structure and complexity would be expected to be lacking in species richness. Conversely, livestock grazing can have a beneficial effect on forage quality by removing the rough or dried seedheads and stems, while leaving or creating the more palatable leaves. A management strategy that incorporates rest periods and movement of livestock through different pastures is generally more desirable for plant growth and protecting special status wildlife species habitat than season-long grazing.

Proposed Action. The allotment would be grazed by up to 96 cows during May, the first part of the core breeding period for Brewer's sparrows. The short duration of use should allow time for vegetation to recover later in the growing season. As long as acceptable utilization levels are maintained and land health standards are achieved, any negative impacts to special status species from livestock grazing are expected to be minimal and isolated, and should not influence populations on a landscape level.

In addition maintenance of nonfunctioning ponds would be required under the terms and conditions. Some special status species would be expected to use the ponds when they are functioning, and some species, particularly bats, could potentially benefit from insect populations associated with the ponds. The ponds could also improve livestock distribution, if distribution issues arise.

No Grazing Alternative. There would be no livestock grazing on this allotment, and there would be no direct or indirect impacts to migratory birds from livestock use. Upland ponds would not be repaired. Perennial grass and forb cover would be expected to remain the same or gradually recover in the continued absence of livestock. There would be no disturbance to special status species from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 4 FOR SPECIAL STATUS WILDLIFE.

Based on the Land Health Assessment for the Divide Creek Landscape, suitable habitat was available for sensitive species, and Standard 4 was being met (BLM 2009). Conditions would be expected to remain the same under the Proposed Action.

TERRESTRIAL WILDLIFE

Diverse plant communities across the CRVFO support a variety of terrestrial wildlife that summer, winter, or migrate through the area. Wildlife need to move across the landscape for food, cover and in response to seasonal conditions. Human development and activities have fragmented habitat, and in some cases, created barriers to wildlife movement. Factors contributing to wildlife disturbance or degradation and fragmentation of habitat include power lines, pipelines, fences, public recreation use, residential and commercial development, vegetation treatments, livestock and wild ungulate grazing, oil and gas development, fire suppression, roads and trails.

Big Game. Mule deer (*Odocoileus hemionus*) and Rocky Mountain elk (*Cervus elaphus nelsonii*) are recreationally important species that occur in the project area. BLM managed lands provide a large portion of the undeveloped habitat for big game in Colorado. Mule deer and elk typically occupy higher elevation, forested areas during summer and migrate to lower elevation sagebrush-dominated ridges and south-facing slopes during winter. The allotment is mapped as mule deer and elk winter range. Mule deer severe winter range is mapped along the south side of the Colorado River, overlapping with part of the allotment. Winter range is often considered the most limiting habitat type for mule deer and elk, so effective management of these areas is particularly important to the health of mule deer and elk populations.

Other Mammals. Numerous small mammals could reside within the planning area, including mice (*Peromyscus* spp.), woodrats (*Neotoma* spp.), ground squirrels (*Spermophilus* spp.), chipmunks (*Neotamias* spp.), rabbits (*Sylvilagus* spp.), skunks (*Mephitis mephitis*), raccoons (*Procyon lotor*) and porcupines (*Erethizon dorsatum*). Many of these mammals are prey for raptors and larger carnivores. Larger carnivores expected to occur include bobcats (*Lynx rufus*) and coyotes (*Canis latrans*). CPW has mapped the entire project area as mountain lion (*Felis concolor*) and black bear (*Ursus americanus*) habitat. The southeastern portion of the allotment is mapped as a black bear fall concentration area. Mountain lions are most likely to be in the vicinity when mule deer are present. Bats documented in Northwest Colorado that could occur in the CRVFO that are not on the BLM special status species list include pallid bats (*Antrozous pallidus*), big brown bats (*Eptesicus fuscus*), silver-haired bats (*Lasionycteris noctivagans*), hoary bats (*Lasiurus cinereus*), California myotis (*Myotis californicus*), Western small-footed myotis (*M. ciliolabrum*), long-eared myotis (*M. evotis*), little brown myotis (*M. lucifugus*), long-legged myotis (*Myotis volans*), Yuma myotis (*M. yumanensis*), big free-tailed bats (*Nyctinomops macrotis*), canyon bats (*Parastrellus hesperus*), and Brazilian free-tailed bats (*Tadarida brasiliensis*).

Gallinaceous Birds. Game birds commonly found in the project area include dusky grouse (*Dendragapus obscurus*) and wild turkey (*Meleagris gallopavo*). The allotment is mapped as turkey overall range.

Waterfowl. The Colorado River and associated riparian vegetation are used by a wide variety of waterfowl and shorebirds. Common species include great blue herons (*Ardea herodias*), Canada geese (*Branta canadensis*), mallards (*Anas platyrhynchos*), common goldeneye (*Bucephala clangula*), and green-winged teal (*Anas crecca*).

Reptiles. Reptile species most likely to occur in the allotment include sagebrush lizards (*Sceloporus graciosus*), prairie and plateau lizards (*S. undulatus*), tree lizards (*Urosaurus ornatus*), gopher snakes or bullsnakes (*Pituophis catenifer*), and western terrestrial garter snakes (*Thamnophis elegans*). Gopher snakes can be found throughout Colorado in most plant communities, including riparian areas, semidesert and mountain shrublands, pinyon-juniper woodlands, and ponderosa pine and other montane woodlands. Western terrestrial garter snakes occur throughout most of western Colorado, usually below 11,000 feet. Smooth green snakes (*Opheodrys vernalis*) can be present in riparian areas, but in western Colorado, may also be common in mountain shrublands far from water (Hammerson 1999).

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Domestic livestock can compete with mule deer and elk for herbaceous forage, although moderate levels of grazing can also help promote shrub growth by limiting grasses. Conversely, livestock grazing can have a beneficial effect on forage quality by removing the rough or dried seedheads and stems, while leaving or creating the more palatable leaves for deer or elk to graze later in the season. Maintaining acceptable utilization levels is particularly important on mule deer and elk winter range and severe winter range.

The allotment would be grazed by up to 96 cows during May. The short duration of use should allow time for vegetation to recover later in the growing season. As long as acceptable utilization levels are maintained and land health standards are achieved, any negative impacts to special status species from livestock grazing are expected to be minimal and isolated, and should not influence populations on a landscape level.

In addition maintenance of nonfunctioning ponds would be required under the terms and conditions. Some terrestrial wildlife species would be expected to use the ponds when they are functioning, and some species, particularly bats, could potentially benefit from insect populations associated with the ponds. The ponds could also improve livestock distribution, if distribution issues arise.

No Grazing Alternative. There would be no livestock grazing on this allotment, and there would be no direct or indirect impacts to terrestrial wildlife from livestock use. Upland ponds would not be repaired. Perennial grass and forb cover would be expected to remain the same or gradually recover in the continued absence of livestock. Wildlife would not be disturbed by humans or vehicles during infrastructure maintenance or livestock tending.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 3 FOR TERRESTRIAL WILDLIFE.

Based on the Land Health Assessment for the Divide Creek Landscape, habitat condition was generally good and meeting Standard 3 for terrestrial wildlife (BLM 2009). Conditions would be expected to remain the same under the Proposed Action.

CUMULATIVE EFFECTS.

Soil and Water. Cumulative impacts to soil and water resources can occur from existing roads and trails throughout the allotment. Roads and trails can contribute to increased surface runoff and accelerated erosion, especially where proper drainage is lacking. Other impacts such as vegetation treatments or weed treatments may also change water infiltration or runoff rates and affect soil and water resources. Based on the limited land management activities occurring across the allotment, it is assumed that cumulative effects to soil and water are negligible if proper best management practices are implemented.

Wildlife, Including Special Status Species. The area covered by the Proposed Action only comprises a small portion of the watershed. Many other land use activities (e.g., recreation, housing, road maintenance, oil and gas development) occur within the watershed. All of these

activities have altered the amount of suitable and potentially suitable habitats for terrestrial wildlife species. Cumulatively, many of the future actions planned on private and other lands may have some undetermined effect on wildlife including special status species habitat. The Proposed Action would create negligible landscape-level cumulative impacts to wildlife when viewed in comparison with those activities currently occurring and reasonably certain to occur on adjacent private/other lands.

CONSULTATION.

The following stakeholders were contacted:

- Southern Ute Indian Tribe
- Ute Mountain Ute Tribe
- Uinta and Ouray Agency Ute Indian Tribe
- Grazing permittee

LIST OF PREPARERS.

Members of the CRVFO Interdisciplinary Team who participated in the impact analysis of the Proposed Action and alternative, development of appropriate mitigation measures, and preparation of this EA are listed in Table 5, along with their areas of responsibility.

Table 10. BLM Interdisciplinary Team Authors and Reviewers.

Name	Title	Areas of Participation
Kristy Wallner	Rangeland Management Specialist	NEPA Lead, Livestock grazing, Invasive, Non-Native Species (Noxious Weeds)
Carla DeYoung	Ecologist	Areas of Critical Environmental Concern, Special Status Plants, Vegetation, Wetlands & Riparian Zones, Land Health Standards
Kimberly Leitzinger	Outdoor Recreation Planner	Wilderness, Wild and Scenic Rivers
Pauline Adams	Hydrologist	Soil, Water, Air, Geology
Hilary Boyd	Wildlife Biologist	Terrestrial and Aquatic Wildlife Including Special Status Species and Migratory Birds
Erin Leifeld	Archeologist	Cultural Resources and Native American Religious Concerns
Brian Hopkins	Assistant Field Manager	NEPA Compliance

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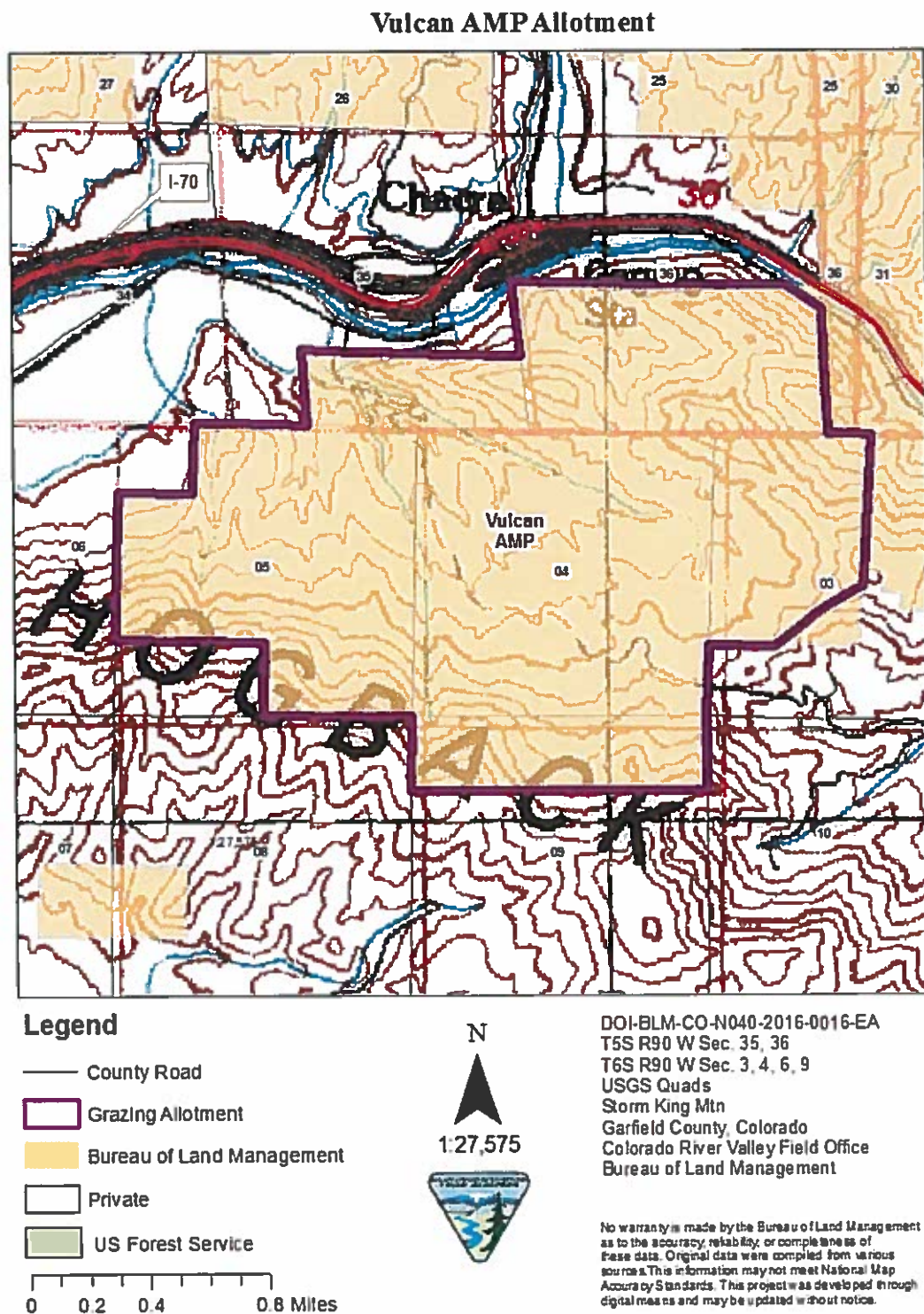
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Appendix 1 – Map of Vulcan Allotment.



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
COLORADO RIVER VALLEY FIELD OFFICE
SILT, COLORADO

FINDING OF NO SIGNIFICANT IMPACT
for
DOI-BLM-N040-2016-0016-EA

Finding of No Significant Impact.

I have reviewed the direct, indirect and cumulative effects of the proposed action documented in the EA referenced above. The effects of the proposed action are disclosed in the Alternatives and Environmental Effects sections of the EA. Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of the effects. Significant, as used in NEPA, requires consideration of both *context* and *intensity* as follows:

(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short and long-term effects are relevant (40 CFR 1508.27):

(b) Intensity. This requirement refers to the severity of the impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27).

1. Impacts that may be both beneficial and/or adverse.

Impacts associated with issuing these livestock grazing permits are identified and discussed in the Affected Environment and Environmental Effects sections of the EA. The proposed action will not have any significant beneficial or adverse impacts on the resources identified and described in the EA.

2. The degree to which the proposed action affects health or safety.

The proposed activities will not significantly affect public health or safety. The purpose of the proposed action is to allow for multiple uses while maintaining or improving resource conditions to meet standards for rangeland health in the allotment. Similar actions have not significantly affected public health or safety.

3. Unique characteristics of the geographic area such as prime and unique farmlands, caves, wild and scenic rivers, wilderness study areas, or ACECs.

There are no unique characteristics of the area.

4. The degree to which the effects are likely to be highly controversial.

The possible effects of continued livestock grazing are not likely to be highly controversial.

5. The degree to which the effects are highly uncertain or involve unique or unknown risks.

The possible effects on the human environment are not highly uncertain nor do they involve unique or uncertain risks. The technical analyses conducted for the determination of the impacts to the resources are supportable with use of accepted techniques, reliable data, and professional judgment. Therefore, I conclude that there are no highly uncertain, unique, or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration.

This EA is specific to the allotments described in the Proposed Action. It is not expected to set precedent for future actions with significant effects or represent a decision in principle about a future management consideration in or outside of these allotments.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The area covered by the proposed action only comprises a small portion of the watershed. Cumulatively, many of the future actions planned on private and other lands may have some undetermined effect on wildlife including special status species habitat. The proposed action would create negligible landscape-level cumulative impacts to wildlife when viewed in conjunction with those activities currently occurring and reasonably certain to occur on adjacent private/other lands.

8. The degree to which the action may adversely affect scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places.

Of the 20 cultural resources identified within the allotment, four have been determined eligible or potentially eligible for the National Register of Historic Places. There is potential for additional cultural resources to be documented within the allotment, specifically in areas with known historic activities or areas near water or other resources. Subsequent site field visits, inventory, and periodic monitoring may have to be done to identify if other historic properties are present as well as determine if there are impacts to these properties within the term of the permit and as funds are made available. If the BLM determines that grazing activities adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO. The EA discloses the adverse impacts that could occur to cultural resources from livestock grazing.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

There are no known occurrences or potential habitat for threatened or endangered plants or animals on or adjacent to the allotment. The action would have “no effect” on species protected under the Endangered Species Act.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The proposed action does not violate or threaten to violate any Federal, State, or local law or requirements imposed for the protection of the environment.

Based upon the review of the test for significance and the environmental analyses conducted, I have determined that the actions analyzed in the EA will not significantly affect the quality of the human environment. Accordingly, I have determined that the preparation of an Environmental Impact Statement is not necessary for this proposal.

SIGNATURE OF AUTHORIZED OFFICIAL.



Brian Hopkins
Assistant Field Manager
Colorado River Valley Field Office

3-1-16
Date



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Colorado River Valley Field Office
2300 River Frontage Road
Silt, CO 81652



IN REPLY REFER TO:
ON 0505747 (CON040)

CERTIFIED MAIL 7014 2120 0001 7991 9621
RETURN RECEIPT REQUESTED

Marla Porter
2904 County Road 314
New Castle, CO 81647

NOTICE OF PROPOSED DECISION

Dear Mrs. Porter:

Introduction & Background.

On November 25, 2015 you applied for a grazing permit on the Vulcan AMP Allotment. The review and NEPA compliance has been completed as documented in the Environmental Assessment (EA) No. DOI-BLM-CO-N040-2016-0016. A copy of the EA is enclosed. Issuance of the permit has been reviewed for compliance with 43 Code of Federal Regulations (CFR) 4110.1(b)(1) which requires a satisfactory record of performance prior to renewal.

Finding Of No Significant Impact (FONSI).

The environmental assessment, analyzing the environmental effects of the action, has been reviewed. The action with mitigation measures result in a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

Rationale.

The analysis of the action with mitigation measures did not identify any impacts that would be significant in nature either in context or intensity. The grazing authorization allows for adequate plant growth recovery and promotes healthy rangelands as it relates to rangeland standards. In addition, there is nothing to indicate the action is highly controversial or that it is related to other actions with individually insignificant but cumulatively significant actions.

Proposed Decision.

As a result of this process, it is my proposed decision to issue a grazing permit #0505747 for a period of 2 years (March 16, 2016 – May 14, 2018). My proposed decision results in the following authorized use as well as the attached terms and conditions.

Table 1. Proposed Grazing Schedules.

Operator Name	Auth. No.	Allotment	Livestock Number	Livestock Kind	Begin Date	End Date	% BLM Land	AUMs
Porter, Marla	0505747	Vulcan (08213)	96	Cattle	05/01	05/31	100	98

Table 2. Proposed Allotment Summary (AUMS).

Operator Name	Auth. No.	Allotment	Active	Suspended	Temporary Suspended AUMS	Permitted Use
Porter, Marla	0505747	Vulcan (08213)	98	0	0	98

Terms and Conditions.

1. An actual use report shall be submitted annually to the BLM office no later than 15 days after livestock have been removed (i.e. the grazing end period on the bill or permit/lease).
2. Livestock Grazing Utilization Guidelines. Average utilization levels by livestock should not exceed:
 - a. Upland areas:
 - 40% on key grass species during the critical growth period and
 - 50% during the dormant season.
 - b. Riparian areas:
 - average minimum 4-inch stubble height on key species for mid-to-late summer grazing period;
 - average minimum 6-inch stubble height for late summer-early fall grazing; and
 - no more than 30% use of current year's growth on woody species.

If utilization is approaching allowable use levels, livestock should be moved to another portion of the allotment, or removed from the allotment entirely for the remainder of the growing season. Adaptive management will be applied to ensure long-term management objectives and land health standards are achieved. Utilization limits may be adjusted (increased or decreased) depending on current resource conditions and trends.

3. As provided by the 2015 Colorado River Valley Field Office Record of Decision and Approved Resource Management Plan, all public motorized and mechanized travel is limited to designated routes. Grazing permittees will maintain Administrative Access specifically for livestock operations and maintenance activities, as follows: 1. motorized access on designated routes that are closed to public motorized use; 2. motorized access in areas seasonally closed to public motorized use; and 3. motorized access off designated routes (e.g., fence maintenance). Administrative access is valid for grazing administration only and not for other purposes such as four-wheeling or big game hunting.
4. Maintenance of range improvements is required and shall be in accordance with all approved cooperative agreements and range improvement permits/leases. Maintenance shall be completed prior to turnout. Maintenance activities shall be restricted to the footprint (previously disturbed area) of the project as it existed when it was initially constructed. The Bureau of Land Management shall be given 48 hours advance notice of any maintenance work that will involve heavy equipment. Disturbed areas will be reseeded with a certified weed-free seed mixture of native species adapted to the site.
5. The permittee/lessees and all persons associated with grazing operations must be informed that any person who injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity of the discovery that might further disturb such materials and notify the BLM authorized officer of the findings. The discovery must be protected until further notified in writing to proceed by the authorized officer.
6. Salt, mineral blocks, and supplemental feed will be placed a minimum of 0.25 miles and preferably 0.5 miles from riparian areas and other water sources, including springs.
7. Minimize selenium contributions to water bodies through best management practices. Range improvement projects that have the potential for selenium leaching, such as stock ponds or water developments should utilize bentonite or other types of liners. New water developments should be located outside of Mancos Shale geology, where possible, or utilize above ground stock tanks.

Rationale for the Proposed Decision.

Renewal of the grazing permit/lease is in conformance with the Colorado River Valley Field Office Record of Decision (ROD) and Approved Resource Management Plan (RMP), approved June. 2015.

The Proposed Action helps to achieve the goal of the plan by applying flexible and sustainable livestock grazing, in accordance with BLM Colorado Standards for Public Land Health and Guidelines for Livestock Grazing Management to contribute to local economies, ranching livelihoods, and the rural western character integral to many communities. It also achieves the

objective of the plan by meeting the forage demands of livestock operations based on active use, by providing approximately 441,600 acres for livestock grazing, and provide approximately 35,500 AUMs of livestock forage.

An interdisciplinary team prepared an EA (No. DOI-BLM-CO-N040-2016-0016) for the proposed grazing permit/lease renewal. My proposed decision is based on the findings of the analyses contained in the EA. The analysis of the proposed action indicated that the current conditions and land health standards in the Vulcan AMP Allotment are expected to be maintained or improved. The grazing use proposed allows for adequate plant growth recovery and promotes healthy rangelands as it relates to rangeland standards.

Other terms and conditions have been included to mitigate potential impacts from grazing use and to authorize flexibility in the permit.

Authority.

43 CFR 4100.0-8 states: "The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0- 5(b)."

43 CFR 4110.2-2(a) states: "Permitted use is granted to holders of grazing preference and shall be specified in all grazing permits or leases. Permitted use shall encompass all authorized use including livestock use, any suspended use, and conservation use, except for permits and leases for designated ephemeral rangelands where livestock use is authorized based upon forage availability, or designated annual rangelands. Permitted livestock use shall be based upon the amount of forage available for livestock grazing as established in the land use plan, activity plan or decision of the authorized officer under § 4110.3-3, except, in the case of designated ephemeral or annual rangelands, a land use plan or activity plan may alternatively prescribe vegetation standards to be met in the use of such rangelands."

43 CFR 4130.2(a) states: "Grazing permits or leases authorize use on the public lands and other BLM-administered lands that are designated in land use plans as available for livestock grazing. Permits and leases will specify the grazing preference, including active and suspended use. These grazing permits and leases will also specify terms and conditions pursuant to §§4130.3, 4130.3-1, and 4130.3-2."

43 CFR 4130.2(d) states: "The term of the grazing permits or leases authorizing livestock on the public lands and other lands under the administration of the Bureau of Land Management shall be 10 years unless -- (1) The land is being considered for disposal; (2) The land will be devoted to a public purpose which precludes grazing prior to the end of 10 years; (3) The term of the base property lease is less than 10 years, in which case the term of the Federal permit or lease shall

coincide with the term of the base property lease; or (4) the authorized officer determines that a permit or lease for less than 10 years is the best interest of sound land management.”

43 CFR 4130.3 states: “Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve the management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part.”

43 CFR 4130.3-1(a) states: “The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized livestock grazing use shall not exceed the livestock carrying capacity of the allotment.”

43 CFR 4130.3-2 states: “The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands.”

43 CFR 4160.1(a) states: “Proposed decisions shall be served on any affected applicant, permittee or lessee and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modifications relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of the proposed decisions shall also be sent to the interested public”.

Protest and/or Appeal.

Any applicant, permittee, lessee or other interested public may protest a proposed decision under Sec. 43 CFR 4160.1 and 4160.2, in person or in writing to Brian Hopkins, Assistant Field Manager, Bureau of Land Management, 2300 River Frontage Road, Silt, Colorado 81652 within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In accordance with 43 CFR 4160.3 (a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

In accordance with 43 CFR 4160.3 (b) upon a timely filing of a protest, after a review of protests received and other information pertinent to the case, the authorized officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.3 and 4160 .4. The appeal must be filed within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 and 4.479, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the

authorized officer, as noted above. The person/party must also serve a copy of the appeal on any person named [43 CFR 4.421(h)] in the decision and the Office of the Solicitor, United States Department of Interior, 755 Parfet Street, Suite 151, Lakewood, Colorado 80215. The BLM does not accept appeals by facsimile or email.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and serviced in accordance with 43 CFR 4.473. Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings division a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)).

Please take a moment to review your enclosed grazing lease. **If you do not have any concerns with the lease as offered, please sign, date, and return both copies to our office.** If you have any questions, contact Kristy Wallner of my range staff at (970) 876-9023.

Sincerely,



Brian Hopkins,
Assistant Field Manager
Colorado River Valley Field Office

3-1-16
Date

Enclosure(s):
Environmental Assessment (No. DOI-BLM-CO-040-2016-0016)
BLM Form 4130-2a (Grazing permit)